

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

U.S. DIAMOND & GOLD, et al., : CASE NO. 3:06-cv-371  
Plaintiffs, : District Judge Thomas M. Rose  
v. : Chief Magistrate Judge Michael R. Merz  
JULIUS KLEIN DIAMONDS LLC, et al., :  
Defendants. :  
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**AGREED SUPPLEMENTAL PROTECTIVE ORDER**

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Pursuant to a hearing held on December 27, 2007, and the Court's subsequent Entry Memorializing Results of Discovery Conference entered December 31, 2007, Plaintiff John Stafford produced his 2004 – 2006 income tax returns and Plaintiff U.S. Diamond & Gold Jewelers, Inc., produced its income tax returns from 2003 – 2005 to Defendant's attorneys to retain on an "attorneys-eyes-only" basis pending further order of the Court. Plaintiffs marked their tax returns "Confidential Information – 12/27/07." On agreement of the parties through counsel, and pursuant to the Court's December 31, 2007 Entry, it is hereby ORDERED:

1. A certain Agreed Protective Order was entered by this Court on October 8, 2007 (Doc. 43) which, except as indicated herein, remains in effect.
2. In addition to the designation "Confidential" in the Agreed Protective Order of October 8, 2007, Plaintiffs, produced documents marked as "Confidential Information - 12/27/07," to Stephen E. Chappelar, trial attorney for Julius Klein Diamonds LLC ("JKD").
  - (a) The documents designated as "Confidential Information - 12/27/07" shall be used only for the purposes of this litigation and not for any business or other purpose whatsoever. "Confidential Information - 12/27/07" materials shall not be given, shown,

made available, discussed, photocopied or otherwise communicated in any manner to anyone other than the attorney of record for JKD in this litigation, the employees of the JKD trial attorney to whom it is necessary that the material be shown for the purposes of this litigation, and one expert retained to help the JKD trial attorney of record interpret the “Confidential Information - 12/27/07” material.

(b) This Agreed Supplemental Protective Order incorporates by reference the definition of “Confidential” as set forth in Paragraph 1 of the Agreed Protective Order for any designation of “Confidential Information - 12/27/07.”

(c) This Agreed Supplemental Protective Order incorporates by reference the definitions of “Confidential” and/or “Confidential Information” as set forth in Paragraphs 2(a), (b), (c), 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 of the Agreed Protective Order for any designation of “Confidential Information - 12/27/07.”

June 25, 2008.

s/ **Michael R. Merz**  
Chief United States Magistrate Judge